

TABLE OF CONTENTS

PART 1 – INTRODUCTION

Chapter 1 – Organization **page 1**

Section 1-101	Title.
Section 1-102	Purpose and Scope.
Section 1-103	How to Use the Land use and Development Code.

Chapter 2 – General Provisions **page 3**

Section 1-201	Violations and Penalties.
Section 1-202	Repeal, Saving Clause and Application.
Section 1-203	Compliance and Scope.
Section 1-204	Consistency with General Plan.
Section 1-205	Use of Real Property.
Section 1-206	Pre-existing Approvals (Grandfathered Approval).
Section 1-207	Building Permit and Certificate of Occupancy.
Section 1-208	Official Action.

Chapter 3 – Officers, Boards and Commissions **page 7**

Section 1-301	Purpose.
Section 1-302	Zoning Administrator.
Section 1-303	Hearings Officer.
Section 1-304	Board of Adjustment.
Section 1-305	Planning and Zoning Commission.
Section 1-306	Redevelopment Review Commission.
Section 1-307	Design Review Board.

PART 2 – ESTABLISH LAND USE DISTRICTS

Chapter 1 – Establish Land Use Districts **page 17**

Section 2-101	Purpose.
Section 2-102	Residential Districts.
Section 2-103	Commercial and Mixed-Use Districts.
Section 2-104	Industrial Districts.
Section 2-105	Overlay Districts.
Section 2-106	Location and Boundaries of Districts.

PART 3 – LAND USE

Chapter 1 – Uses Permitted in Residential Districts ***page 21***

- Section 3-101 Purpose and Applicability.
- Section 3-102 Permitted uses in Residential Districts.

Chapter 2 – Uses Permitted in Commercial and Mixed-Use Districts ***page 25***

- Section 3-201 Purpose and Applicability.
- Section 3-202 Uses Permitted in Commercial and Mixed-Use Districts.

Chapter 3 – Uses Permitted in Industrial Districts ***page 36***

- Section 3-301 Purpose and Applicability.
- Section 3-302 Permitted Uses in Industrial Districts.

Chapter 4 – Special Use Standards ***page 40***

- Section 3-401 Accessory Dwellings.
- Section 3-402 Accessory Uses and Structures.
- Section 3-403 Agricultural Uses.
- Section 3-404 Bed and Breakfast.
- Section 3-405 Boutique.
- Section 3-406 Day Care, In Home 7-10 Children.
- Section 3-407 Group Homes for Adult Care, Disabled, and Child Shelter.
- Section 3-408 Home Occupation.
- Section 3-409 Live-Work.
- Section 3-410 Mobile Homes.
- Section 3-411 Residential Sales Office, Temporary.
- Section 3-412 Second Story Addition or Rebuild.
- Section 3-413 Wireless Telecommunication Facilities.
- Section 3-414 Mini Warehouse.
- Section 3-415 Drive-Through Facilities.
- Section 3-416 Fuel Sales/Service Station Accessory Use.
- Section 3-417 Adult Businesses.

Chapter 5 – Non-Conforming Situations ***page 56***

- Section 3-501 Purpose
- Section 3-502 General Provisions
- Section 3-503 Alterations of a Non-Conforming Use.
- Section 3-504 Alterations to a Non-Conforming Development.
- Section 3-505 Expansion of a Non-Conforming Use.
- Section 3-506 Discontinuance of a Non-Conforming Use.
- Section 3-507 Damage to a Non-Conforming Use or Development.
- Section 3-508 Reclassification to Permitted Status With a Use Permit.

Chapter ~~6~~ 4 – Parking**page 75**

Section 4-401	Purpose and Applicability.
Section 4-402	General Parking Standards.
Section 4-403	Ratios for Calculating Required Parking.
Section 4-404	Loading and Unloading Facility Standards.
Section 4-405	Shared Parking Analysis and Management Options.
Section 4-406	Parking Area Dimensions
Section 4-407	Bicycle Parking Design Guidelines

Chapter 5 – Landscapes & Walls**page 87**

Section 4-501	Purpose and Applicability.
Section 4-502	General Landscape Standards.
Section 4-503	Low Water Use Landscaping.
Section 4-504	Street Frontage Landscape Standards.
Section 4-505	Parking Facility Landscape Standards.
Section 4-506	Water Retention Area Landscape Standards.
Section 4-507	Screens, Walls, and Access Control Standards.
Section 4-508	Traffic Sight Line Requirements.
Section 4-509	Landscape Design Guidelines. (MOVE Public Art in Private Development to Section 4-306)

Chapter 8 – Lighting **page 135**

<u>Section 4-801</u>	<u>Purpose and Applicability.</u>
<u>Section 4-802</u>	<u>Photometry Plan.</u>
<u>Section 4-803</u>	<u>Lighting Standards.</u>
<u>Section 4-804</u>	<u>Prohibited Lights.</u>
<u>Section 4-805</u>	<u>Exemptions</u>

Chapter 6 – Access and Circulation **page 104**

<u>Section 4 601</u>	<u>Purpose and Applicability.</u>
<u>Section 4 602</u>	<u>Vehicle Access and Circulation Standards.</u>
<u>Section 4 603</u>	<u>Pedestrian and Bicycle Access and Circulation Standards.</u>
<u>Section 4 604</u>	<u>Access and Circulation Design Guidelines.</u>

Chapter 7 – Signs**page 114****Chapter 7-1 – General Sign Regulations.** **page 114**

Section 4-7-101	Purpose.
Section 4-7-102	Signs Exempt from Permits and This Code.
Section 4-7-103	Prohibited Signs.

Section 4-7-104	Definitions.
Section 4-7-105	Sign Height Measurement.
Section 4-7-106	Sign Area Measurement.
Section 4-7-107	Sign Illumination.
Section 4-7-108	Sign Maintenance.

Chapter 7-2 – Specific Sign Regulations.

page 119

Section 4-7-201	General Regulations.
Section 4-7-202	Address Sign.
Section 4-7-203	Awning/Canopy Sign.
Section 4-7-204	Boutique Directional Sign.
Section 4-7-205	Brand Identification Sign.
Section 4-7-206	Building Mounted Signs.
Section 4-7-207	Cemetery Headstone/Marker.
Section 4-7-208	Changeable Copy/Marquee Sign.
Section 4-7-209	Construction Sign.
Section 4-7-210	Directional Sign.
Section 4-7-211	Directory Sign.
Section 4-7-212	Flags.
Section 4-7-213	Freestanding Identification Sign.
Section 4-7-214	Future Development Sign.
Section 4-7-215	Going Out Of Business Sign.
Section 4-7-216	Holiday Decorations.
Section 4-7-217	Lead-in Sign.
Section 4-7-218	Menu Board.
Section 4-7-219	Obsolete Signs.
Section 4-7-220	Political Sign.
Section 4-7-221	Sale, Lease or Rent Sign.
Section 4-7-222	Service Station Signs.
Section 4-7-223	Significant Event Sign.
Section 4-7-224	Subdivision Advertising.
Section 4-7-225	Unauthorized Signs.
Section 4-7-226	Window Signs.

Chapter 7-3 – Signs Permitted for Commercial Uses.

page 130

Section 4-7-301	General Requirements.
Section 4-7-302	Regional Commercial Center District (RCC).

Chapter 7-4 – Signs Permitted for Residential Uses In Any District.

page 131

Section 4-7-401	One and Two Family Dwellings.
Section 4-7-402	Multifamily Dwellings.
Section 4-7-403	Mobile Home and Trailer Parks (RMH & TP Districts).

*Chapter 7-5 – Sign Permits, Fees And Procedures.**page 133*

Section 4-7-501 Permits and Fees.

Section 4-7-502 Permit Procedures.

Chapter 8 – Lighting ***page 135***~~Section 4-801 Purpose and Applicability.~~~~Section 4-802 Photometry Plan.~~~~Section 4-803 Lighting Standards.~~~~Section 4-804 Prohibited Lights.~~~~Section 4-805 Exemptions.~~***Chapter 9 – Infrastructure*** ***page 142***~~Section 4-901 Purpose and Applicability.~~~~Section 4-902 Public Improvements General Requirements.~~~~Section 4-903 Transportation Improvements.~~~~Section 4-904 Sanitary Sewer, Storm Drainage,
and Water System Improvements.~~~~Section 4-905 Design Guidelines and Criteria.~~***Chapter 10 – Transportation Demand Management*** ***page 147***~~Section 4-1001 Purpose and Applicability.~~~~Section 4-1002 Employee Transportation Coordinator~~~~Section 4-1003 Bicycle Commuter Requirements.~~~~Section 4-1004 Carpool Parking Requirements.~~~~Section 4-1005 [reserved]~~**PART 5 – OVERLAY DISTRICTS*****Chapter 1 – Pedestrian Overlay District******page 149***Section 5-101 ~~Pedestrian Overlay District~~ Purpose.Section 5-102 ~~Pedestrian Overlay District~~ Applicability.Section 5-103 ~~Pedestrian Overlay District~~ Uses Permitted in Residential
Districts.Section 5-104 ~~Pedestrian Overlay District~~ Uses Permitted in Commercial and
Industrial Districts.Section 5-105 ~~Pedestrian Overlay District~~ Uses Permitted in Mixed-Use
Districts.Section 5-106 ~~Pedestrian Overlay District~~ Street-Level Uses Required in Light
Rail Station Areas.

Section 5-107	Pedestrian Overlay District — Uses Prohibited in Light Rail Station Areas.	
Section 5-108	Pedestrian Overlay District — Development Standards for Residential Districts.	
Section 5-109	Pedestrian Overlay District — Development Standards for Commercial, and Mixed-Use Districts.	
Section 5-110	Pedestrian Overlay District — Development Standards for Rio Salado Overlay, and I-1/I-2/CSS Overlay Districts.	
Section 5-111	Pedestrian Overlay District — Pedestrian Oriented Design.	

Chapter 2 – Rio Salado Overlay District

page 165

Section 5-201	Purpose.
Section 5-202	General Regulations.
Section 5-203	Prohibited Uses.
Section 5-204	Yard, Height, Area and Density Requirements.
Section 5-205	Additional Information and Regulations.
Section 5-206	Boundaries.

Chapter 3 – Southwest Tempe Overlay District

page 169

Section 5-301	Purpose.
Section 5-302	General Regulations.
Section 5-303	Automotive Dealerships.
Section 5-304	Prohibited Uses.
Section 5-305	Special Regulations, Building Design.
Section 5-306	Improvements to be Provided by the Developer Within the Arterial Street Right-of-Way.
Section 5-307	Special Details and Capital Improvements to be Provided by the City at City Expense.
Section 5-308	Improvements to be Perpetually Maintained by the Developer Within the Arterial Street Right-of-Way.
Section 5-309	Yard, Height, Area and Density Requirements.
Section 5-310	Additional Information and Regulations.
Section 5-311	Boundaries.

Chapter 4 – I-1/I-2/CSS Overlay District

page 174

Section 5-400	Purpose.
Section 5-401	General Regulations.
Section 5-402	Uses Requiring a Use Permit.
Section 5-403	Yard, Height, Area and Density Requirements.
Section 5-404	Additional Information and Regulations.
Section 5-405	Boundaries.

Chapter 5 – Planned Area Development Overlay District* page 176**~~Section 5-501 Purpose.~~~~Section 5-502 Applicability.~~~~Section 5-503 General Regulations.~~~~Section 5-504 Procedures.~~**PART 6 – ADMINISTRATION & PROCESS**Chapter 1 – Approval and Appeal Authorities* page 179**

Section 6-101 Approval and Appeal Authorities.

Section 6-102 Review Procedures.

Section 6-103 Summary Decision Matrix.

***Chapter 2 – Application Submittal and Review* page 183**

Section 6-201 Initiation and Withdrawal of Application.

Section 6-202 Preliminary Review Process.

Section 6-203 Application Submittal.

Section 6-204 Application Acceptance.

Section 6-205 Administrative Review Steps.

Section 6-206 Public Hearing Review Steps.

Section 6-207 Legislative Review Steps.

***Chapter 3 – Application Requirements and Approval Criteria* page 189**

Section 6-301 Code Interpretations and Similar Use Rulings.

Section 6-302 Design Review.

Section 6-303 General Plan Amendment.

Section 6-304 Modify Approved Plan or Condition of Approval.

Section 6-305 Planned Area Development.

Section 6-306 Site Plan Review.

Section 6-307 Use Permit.

Section 6-308 Zone Map Amendment.

Section 6-309 Security Plan.

Section 6-310 Parking Demand Study.

Section 6-311 Variances.

Chapter 4 – Public Notices and Staff Reports **page 208**

Section 6-401	General Provisions.
Section 6-402	Neighborhood Meetings.
Section 6-403	Notice for Public Meetings.
Section 6-404	Notice for Public Hearings.
Section 6-405	Notice of Appeals.
Section 6-406	Staff Reports.

Chapter 5 – Public Hearings **page 213**

Section 6-501	Purpose.
Section 6-502	Rules of Procedure.
Section 6-503	Record.
Section 6-504	Procedural Rights.
Section 6-505	Presentations.

Chapter 6 – Conditions of Approval **page 216**

Section 6-601	Conditions of Approval.
Section 6-602	Contract for Conditions.
Section 6-603	Assurance of Compliance with Conditions.
Section 6-604	Time Limits on Conditions.
Section 6-605	Failure to Fulfill Previous Conditions.
Section 6-606	Modification or Removal of Conditions.

Chapter 7 – Reconsideration of Decisions **page 218**

Section 6-701	Reconsideration as Extraordinary Remedy.
Section 6-702	Motion for Reconsideration.
Section 6-703	Motion for Reconsideration and Appeal Period.
Section 6-704	Motion for Reconsideration as Nonpublic Hearing Item
Section 6-705	Process for Reconsideration.
Section 6-706	Reconsideration and Appeals.
Section 6-707	Reconsideration Limit

Chapter 8 – Appeals**page 220**

Section 6-801	Parties to an Appeal.
Section 6-802	Appeal of Hearings Officer or Director Decision.
Section 6-803	Appeal of Planning Commission Denial.
Section 6-804	Appeal of Board of Adjustment Decision.
Section 6-805	Appeal of Design Review Board Decision.
Section 6-806	Appeal Petition.

Chapter 9 – Effective Date, Expiration, Extension, Revocation, and Transfer of Approvals**page 223**

Section 6-901	Effective Date of Decisions.
Section 6-902	Expiration.
Section 6-903	Extension.
Section 6-904	Revocation of a Permit.
Section 6-905	Transferability of Permits

PART 7 – DEFINITIONS**Chapter 1 – Definitions****page 227**

Section 7-101	General definitions and terms.
Section 7-102	A
Section 7-103	B
Section 7-104	C
Section 7-105	D
Section 7-106	E
Section 7-107	F
Section 7-108	G
Section 7-109	H
Section 7-110	I
Section 7-111	J
Section 7-112	K
Section 7-113	L
Section 7-114	M
Section 7-115	N
Section 7-116	O
Section 7-117	P
Section 7-118	Q
Section 7-119	R
Section 7-120	S
Section 7-121	T
Section 7-122	U
Section 7-123	V

Section 7-124	W
Section 7-125	X
Section 7-126	Y
Section 7-127	Z

APPENDIX ~~(to be compiled by City)~~

A. *Index*

B. *Design Guidelines*

- ~~1. Multifamily Development Quality Design Study~~
- ~~2. Pedestrian and Bicycle Facilities Design Guidelines~~
- ~~3. Engineering Design Criteria Manual~~
- ~~4. Crime Prevention Through Environmental Design Guidelines~~
- ~~5. Art in Private Development Guidelines~~
- ~~6. American with Disabilities Act Design Guidelines~~
- ~~7. Street Tree and Landscape Design Guidelines~~
- ~~8-1. _____ [Reserved for Others]~~

Delete 1-8 and insert highlighted Guidelines as shown above, in same order, and group into Building, Landscape, POD, Access and Circulation, and Engineering (discuss if Eng should really be in the document in design guidelines) ADA, will have their own separate reference to guidelines.

C. *Shared Parking Model and Parking Demand Study Guidelines*

D. *Application Requirements, Forms and Fees*

E. *Zoning Administration Opinions* (none as of date of adoption)

REFERENCES

List of documents that may pertain to land use development, but are not a part of this document.

Example: General Plan, Comprehensive Transportation Plan, ADA Guidelines, CPTED?, etc.